

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MIKAEL TJUATJA,

No. CV-08-0896 MMC

Plaintiff,

JUDGMENT IN A CIVIL CASE

v.

CHI MANAGEMENT GROUP, L.P. SHORT AND
LONG TERM DISABILITY PLAN,

Defendant.

(X) Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS SO ORDERED AND ADJUDGED

1. Tjuatja's motion for judgment is hereby GRANTED in part and DENIED in part, as follows:

a. To the extent the motion seeks judgment on Tjuatja's claim for benefits under the STD Plan, the motion is GRANTED, and the matter is remanded to Unum (1) to determine the amount of benefits to which plaintiff is entitled for the period beginning March 6, 2007 through and including May 1, 2007, and (2) to consider whether Tjuatja is entitled to benefits for any additional period of time; and

b. To the extent the motion seeks judgment on Tjuatja's claim for benefits under the LTD Plan, the motion is DENIED.

2. Defendants' motion for judgment is hereby GRANTED in part and DENIED in part, as follows:

a. To the extent the motion seeks judgment on Tjuatja's claim for benefits under the STD Plan, the motion is DENIED;

b. To the extent the motion seeks judgment on Tjuatja's claim for benefits under the LTD Plan, the motion is GRANTED; the judgment, however, is without prejudice to Tjuatja's submitting to Unum a claim for such benefits.

Dated: December 10, 2010

Richard W. Wieking, Clerk

Tracy Lucero

By: Tracy Lucero
Deputy Clerk